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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,786	01/30/2004	Atsushi Kaneda	7217/71725	7140
530	7590	10/18/2006		
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090				
EXAMINER LE, THANH TAM T				
ART UNIT 2839			PAPER NUMBER	

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**SUPPLEMENTAL
Notice of Allowability**

Application No.

10/768,786

Examiner

Thanh-Tam T. Le

Applicant(s)

KANEDA ET AL.

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a telephone on 10/11/06.
2. ☒ The allowed claim(s) is/are 1.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


**THANH-TAM LE
PRIMARY EXAMINER**

Art Unit: 2839

1. The Examiner's Amendment sent out 8/24/06 has been canceled, the new Examiner's Amendment has been entered as follow:

Drawings

2. The drawing filed 7/24/06 is acknowledged.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
4. Authorization for this examiner's amendment was given in a telephone interview with Dennis M. Smid (Reg. No. 34,930) on 10/11/06.
5. The application has been amended as follows:

Claim 1, line 1, "attached" has been replaced -- attaching --;

line 2, -- said mechanism -- has been inserted before "comprising";

line 15, "." has been replaced -- , --;

New lines have been inserted after line 15 as follow:

-- said elastometric sleeve having a protruding portion that protrudes from the plug cover at an end thereof where said pair of projecting portions are located when the elastometric sleeve is arranged inside the plug cover, and

said pair of engaging pieces provided on the attachment plate located on the jack side being secured to said pair of L-shaped engaging grooves with an elasticity of said protruding portion of the elastometric sleeve when said portable audio device is engaged. --

Claim 2 has been canceled.

Allowable Subject Matter

6. Claim 1 is allowed.

7. The following is an examiner's statement of reasons for allowance:

The claims are allowable over the prior art of record for at least the reason that the prior art fails to teach or suggest the elastometric sleeve having a protruding portion that protrudes from the plug cover at an end thereof where said pair of projecting portions are located when the elastometric sleeve is arranged inside the plug cover, as set forth in the claimed combination.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh-Tam T. Le whose telephone number is 571-272-2094. The examiner can normally be reached on 7:30-5:00.

Art Unit: 2839

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on 571-272-2098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thanh-Tam T. Le
Primary Examiner
Art Unit 2839

TL
10/11/06.